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Attorneys for individual and representative Plaintiffs Shonetta Crain and Kira Serna

13 SHONETTA CRAIN AND KIRA SERNA,  
14 individually and on behalf of all others  
similarly situated,

15 Plaintiffs.

16 || v.

17 ACCREDITED CASUALTY AND SURETY  
COMPANY, INC., et al.,

### Defendants.

Case No. 3:19-CV-001265-JST  
CLASS ACTION

**DECLARATION OF DAVID H.  
SELIGMAN IN SUPPORT OF  
PLAINTIFFS' JOINT MOTION FOR  
APPOINTMENT OF INTERIM CLASS  
COUNSEL**

Date: June 6, 2019  
Time: 2:00p.m.  
Location: Courtroom 9  
Judge: The Honorable Jon S. Tigar

20 STEVEN BREAUX, individually and on  
21 behalf of all other similar situated individuals.

22 Plaintiff.

23 || v.

24 ACCREDITED CASUALTY AND SURETY  
COMPANY, INC., *et al.*,

Defendants.

Case No. 3:19-CV-00717-JST

1 I, David H. Seligman, declare as follows:

2       1. I am an attorney and director at Towards Justice, counsel for Plaintiffs Shonetta  
3 Crain and Kira Serna in *Crain et al. v. Accredited Surety & Casualty Co., et al.*, Case No. 3:19-  
4 cv-001265-JST (N.D. Cal.). I have personal knowledge of the facts herein and, if called upon to  
5 testify to those facts, I could and would do so competently.

6       2. Towards Justice is a Denver-based non-profit law firm dedicated to attacking  
7 systemic injustices that undermine the power of workers and consumers to achieve economic  
8 mobility.

9       3. Attached as Exhibit A to this Declaration is a Firm Resume for Towards Justice.

10      4. While Towards Justice's litigation program initially focused on attacking wage  
11 theft through conventional wage-and-hour litigation, it has substantially expanded in recent years  
12 to include innovative cases brought under different legal frameworks, including several cases that  
13 challenge anti-competitive practices and fraud used to undermine the power of poor people to  
14 benefit from competitive markets.

15      5. For example, Towards Justice litigated the first recent putative class action case to  
16 attack a no-hire clause in franchises agreements covering franchisees of fast-food restaurant  
17 chains. *See Bautista, et al. v. Carl Karcher Enterprises*, BC649777 (L.A. Super. Ct.) (filed 2017).  
18 That litigation spurred public and private enforcement around the country to address the issue at  
19 other chains.

20      6. Towards Justice is also class counsel in a class action on behalf of approximately  
21 100,000 childcare workers who have worked in the United States on J-1 *au pair* visas. *Beltran, et*  
22 *al. v. Interexchange, Inc., et al.*, 14-cv-03074-CMA-KMT (D. Colo.) (filed 2014). Similar to the  
23 instant case, *Beltran* alleges, among other things, that the sponsor agencies that recruit and  
24 employ those workers conspired with each other to fix wages at the minimum allowable by law  
25 while also falsely representing that the minimum wage was in fact a mandated amount above  
26 which employers could not depart.

27      7. I am an attorney and the Director of Towards Justice, and I am actively involved in  
28 all Towards Justice's antitrust litigation. I also speak and write frequently on antitrust and

1 competition issues, particularly those affecting low-income consumers and low-wage workers.

2 See, e.g., David Seligman, Harvard Labor & Worklife Program, *Having Their Cake & Eating It*

3 Too: Antitrust Laws and the Fissured Workplace

Too: Antitrust Laws and the Fissured Workplace, April 2018, available at <https://goo.gl/6QZkzP>.

4 8. Before coming to Towards Justice in 2015, I was a Staff Attorney at the National  
5 Consumer Law Center in Boston, MA, where I performed policy advocacy and litigation on  
6 behalf of low-income consumers.

7 I declare under penalty of perjury under the laws of the United States that the foregoing is  
8 true and correct.

9 Date: May 1, 2019

10 /s/ David H. Seligman

David H. Seligman

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